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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/660,464	09/12/2000	Mamoun Abu-Samaha	10005392-1	6535

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Intellectual Property Administration
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EXAMINER

HU, JINSONG

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 11/12/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/660,464

Applicant(s)

ABU-SAMAH, MAMOUN

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

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DETAILED ACTION

1. Claims 1-20 are presented for examination.
2. The abstract of the disclosure is objected because it is not in proper length.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 1, 3-14 and 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Giese (US 6,621,895).

5. As per claims 1, 13-14, 16 and 19-20, Giese teaches the invention as claimed including a system for providing remote electronic services to an origination network node [col. 1, lines 15-20], comprising:

an origination agent [10, Fig. 9] residing at the origination network node and configured to transmit a request-for-service call incorporating one or more control parameters including a destination node address [col. 9, lines 11-18; col. 11, line 4 – col. 12, line 27; col. 16, lines 37-45; col. 23, lines 49-52];

a communication module [14, Fig. 9] encapsulating processes for communicating with the destination network node over multiple transport facilities [col. 14, lines 49-65; col. 23, lines 59-61];

and a service module [12, Fig. 9] residing on a server computer remote from the origination network node and configured to perform a prescribed function to produce a service deliverable in accordance with the request-for-service call and to access an instance of the communication module [col.12, lines 29-39; col. 13, lines 21-57; col. 23, lines 53-58] and pass the one or more control parameters and the service deliverable to the communication module for delivery to the destination network node [col. 13, lines 45-46; col. 14, lines 49-51; col. 16, lines 9-27].

6. As per claim 3, Giese teaches an access file reside on the remote computer and configured to invoke a service module in response to the request-for-service call [service triggers, Fig. 11; col. 5, lines 23-27 & 49-54].

7. As per claims 4-6, Giese teaches the access file is an active server page [col. 8, line 62 – col. 9, line 3; col. 11, lines 58-63].

8. As per claim 7, Giese teaches the communication module is configured to communicate with the destination network node over any one of the following transport facilities: a voice network, the Internet, an electronic mail (email) network, and a wireless network [54, 56, 58, Fig. 13].

9. As per claim 8, Giese teaches the communication module is configured to establish a communication link with the destination network node based upon the destination node address [col. 16, lines 37-46].

10. As per claims 9-11 and 17-18, Giese teaches the communication module is configured to format the service deliverable produced by the service module in accordance with an identified node type classification for the destination network node [col. 16, lines 47-62].

11. As per claim 12, Giese teaches a destination agent residing at the destination network node and configured to communicate with the communication module [col. 17, lines 22-25].

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 2 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giese (US 6,621,895) as applied to claims 1, 3-14 and 16-20 above.

14. As per claims 2 and 15, Giese teaches the invention substantially as claimed in claim 1. Giese does not specifically teach the origination agent is configured to transmit the request-for-service call in accordance with a hypertext transfer protocol (http). However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize http format in Giese's system because http is a well-known protocol in the art for transmitting documents over network. One of ordinary skill in the art would have been motivated to modify Giese's system with http format based on specific design requirements.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Strauss et al. (US 5,940,598) discloses a network universal server;

Nessett et al. (US 6,055,236) discloses network services distributed system;

Lipkin (US 6,138,148) discloses a system for client intermediation of server applications;

Roberts (US 6,560,633) discloses a services requesting system; and

Graham et al. (US 6,594,700) discloses a universal service broker.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (703) 306 – 5932.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An, can be reached on (703) 305-9678. The fax number for Group 2100 is (703) 872-9306.

Any inquiry of a general nature or relating to the status of the application should be directed to the Group receptionist at (703) 305-3900.

Jinsong Hu

November 5, 2003


MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100